

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:05-CR-72
V.)	VARLAN/SHIRLEY
)	
MARCUS FLOWERS,)	
Defendant.)	
)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This cause came before the undersigned on July 27, 2005, for a detention hearing. Assistant United States Attorney Tracee Plowell appeared on behalf of the government. Assistant Community Defender Paula Voss was representing the defendant, who was also present. Ms. Voss made an oral motion for substitution of counsel, stating that the defendant's family had retained Attorney Ray Shirley to represent the defendant. Mr. Shirley was present and agreed that he now represented the defendant. The defendant stated that he wanted Mr. Shirley to represent him. The government did not object to the proposed substitution. Accordingly, the Court finds the oral motion to substitute to be well-taken and it is **GRANTED**. Ms. Voss is allowed to withdraw from the case, and Mr. Shirley is substituted as the defendant's counsel of record.

New defense counsel moved for a brief continuation of the detention hearing so that he would have time to prepare. The defendant agreed with the requested continuance and stated that

he understood he would remain in custody until the new detention hearing. The government did not object to a continuance. The Court reset the detention hearing to **August 1, 2005, at 2:00 p.m.**

IT IS SO ORDERED.

ENTERED:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge